IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

MATTERS NOTIFIED AT SERIAL NOS.1, 4, 5, 9, 21 & 23

ON THE BOARD DATED 23RD MARCH 2006

CAUSE TITLES AND APPERANCES AS NOTIFIED

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CORAM: A.M.KHANWILKAR,J

MARCH 23, 2006.

P.C. :

1. All these matters are listed with office objection(s), inter alia, pertaining to the office objections not removed/unserved notices/Bhatta not paid, etc. I propose to pass common order in the following terms:

(A) In cases where Bhatta Charges are not paid so far, due to which notice(s) could not be issued, the

Petitioner(s)/Appellant(s)/Applicant(s) are directed to pay Bhatta Charges within ONE WEEK from today, failing which, the Petition/Application/Revision/ Appeal shall stand dismissed for non-prosecution, without further reference to the Court. On payment of Bhatta Charges, Office to issue notice returnable Four weeks. In addition to Court notice, the Petitioner(s)/Appellant(s)/Applicant(s) shall serve the unserved Respondent(s) by Advocate's notice, either personally or through R.P.A.D./speed post/courier/e-mail/fax and file affidavit of service within FOUR WEEKS from today, failing which, the Petition/Application/Revision/Appeal to stand dismissed for non-prosecution, without further reference to the Court.

(B) In cases where no action is taken by the Petitioner(s)/Appellant(s)/Applicant(s) in respect of Respondent(s) who are reported to be dead, the Petition/Application/Revision/Appeal to stand dismissed for non-prosecution and/or abated.

(C) In cases where any of the Respondent(s)

has/have not been served so far, for whatever reasons, the Petitioner(s)/Appellant(s)/Applicant(s) to take steps to serve the unserved Respondent(s) within FOUR WEEKS from today by Advocate's notice, either personally or through R.P.A.D./speed post/courier/e-mail/fax and to file affidavit of service before that date, failing which, concerned Petition/Application/Revision/Appeal to stand dismissed for non-prosecution, without further reference to the Court.

(D) In cases where no steps have been taken by the Petitioner(s)/Appellant(s)/Applicant(s) to serve the unserved Respondent(s) and/or have failed to comply with the Court's order to file affidavit of service within the stipulated time, the Petition/ Application/Revision/Appeal to stand dismissed for non-prosecution.

(E) In cases where Bhatta charges are paid late, due to which notice(s) has/have not been issued, delay in payment of Bhatta Charges is condoned. Returnable date is extended. Office to proceed accordingly. In

addition to Court notice, the Petitioner(s)/Appellant(s)/Applicant(s) shall serve the unserved Respondent(s) by Advocate’s notice either personally or through R.P.A.D./speed post/ courier/e-mail/fax and file affidavit of service within FOUR WEEKS from today, failing which, the Petition/Application/Revision/Appeal to stand dismissed for non-prosecution without further reference to the Court.

(F) In cases where notices have not been issued by the office for whatever reason, the returnable date in those cases is extended by FOUR WEEKS from today. In addition to Court notice, the Petitioner(s)/Appellant(s)/Applicant(s) shall serve the concerned Respondent(s) by Advocate’s notice either personally or through R.P.A.D./speed post/courier/e-mail/fax and file affidavit of service within FOUR WEEKS from today, failing which, the Petition/Application/Revision/Appeal to stand dismissed for non-prosecution without further reference to the Court.

(G) In case of any other office objection(s), the Petitioner(s)/Appellant(s)/Applicant(s) to take steps to remove the same within FOUR WEEKS from today, failing which, the Petition/Application/Revision/ Appeal to stand dismissed for non-prosecution, without further reference to the Court.

(H) In cases where office objection regarding non-filing of English translation is raised, the same is dispensed with for the time being.

(I) In cases where office remark indicates that R & P is not received, Office to take immediate steps to ensure that R & P is received before the next date of hearing, if required, by requisitioning the same through special messenger.

(J) If conditional order is complied in time in the above matters, the respective matter will be listed under appropriate caption after four weeks.

(K) Ad-interim order granted in any of the above said matters, if any, to continue till the next date

of hearing.

. Ordered accordingly.

A.M.KHANWILKAR, J.